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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,896	10/18/2001	Richard J. Schneider	4164-214	4530

20575 7590 05/24/2005

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EXAMINER
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RADA, ALEX P

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/087,896

Applicant(s)

SCHNEIDER, RICHARD J.

Examiner

Alex P. Rada

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/14/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

In response to the Request for Continued Examination (RCE) amendment filed February 14, 2005 in which applicant submits IDS and claims 1-10 are pending in this application.

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the flow chart regarding the "storing the bonus token signal at the at least one of the first selected subset of the plurality of gaming machines over the bonus period" as recited in claim 1 and "storage means adapted to store the bonus token signal at the gaming machine during an entire period of operation in the bonus operation mode" as recited in claim 9 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-7 and 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Acres '961.

4. Acres discloses the following:

A plurality of gaming machines (figure1), setting an upper threshold (figure 34), accumulating a bonus pool responsive to play on the gaming machines (figure 34), selecting a first subset of the plurality of gaming machines when the accumulated bonus pool crosses the upper threshold (figure 34), sending a bonus token signal, to at least one of the first selected subset of the plurality of gaming machines, in which the examiner interprets the reconfiguring the message structure to be an equivalent to the bonus token signal (figure 34,

column 25, lines 10 - column 26, line 34, and column 36, lines 36-60), *storing the bonus token signal at the at least one of the first selected subset of the plurality of gaming machines over the bonus period* (item 48 of figure 2 and column 25, lines 10 - column 26, line 34), and initiating a bonus period at only the at least one of the first selected subset of gaming machines responsive to the bonus token signal (column 36, line 36 - column 37, line 27) as recited in claim 1.

Paying out bonus awards from the bonus pool during the bonus period (figure 34 and column 36, lines 36-60) as recited in claim 2.

Decrementing the bonus awards paid during the bonus period from the bonus pool to yield an adjusted bonus pool amount, setting a lower threshold, removing the bonus token signal from the first selected subset of gaming machines when the adjusted bonus pool amount crosses the lower threshold, and ending the bonus period contemporaneous with the step of removing the bonus token signal (figure 34, column 32, lines 18-27, and column 36, line 36 - column 37, line 27) as recited in claim 3.

Accumulating a temporary bonus pool (column 36, lines 44-60) during the bonus period responsive to play of the gaming machine during the bonus period, and transferring the temporary bonus pool into the bonus pool at the end of the bonus period (column 36, line 36 - column 37, line 52) as recited in claim 4.

The temporary bonus pool during the bonus period responsive to play of the gaming machines during the bonus period excludes those machines in the first subset of gaming machines (column 36, line 36 - column 37, line 52) as recited in claim 5.

The first selected subset of machines is a number greater than one (figure 34) as recited in claim 6.

Removing the bonus token signal from the first selected subset of gaming machines (figure 34), ending the bonus period contemporaneous with removing the bonus token signal from the first selected subset of gaming machines, selecting a second subset of gaming machines, receiving the bonus token signal at the second subset gaming machines (figure 34 and column 36, line 36 - column 37, line 27), and initiating a bonus period at only at least one of the second selected subset of gaming machines responsive to the bonus token signal (figure 34 and column 37, lines 37-52) as recited in claim 7.

Reserving the bonus token at a bonus server coupled to the network until the first threshold is crossed, in which the examiner interprets the floor controller to be a functional equivalent to bonus server (column 18, lines 58-67) as recited in claim 8.

A plurality of gaming machines (figure 1), each of the machines having a machine control interface adapted to operate the gaming machine in either a normal operation mode or a bonus operation mode, a bonus server linked to the plurality of gaming machines over a network, the bonus server including selection means for identifying at least a selected one of the plurality of gaming machines and signal generation means for generating a bonus token signal (figure 34), and signal transmission means (figures 32-34) for sending the bonus token signal to the machine control interface of at least the selected one of the plurality of gaming machines responsive to the selection means, wherein the selected one of

the plurality of gaming machines switches from the normal operation mode to the bonus operation mode responsive to the bonus token signal being received at the machine control interface, and *storage means* (item 48 of figure 2 and column 25, lines 10 - column 26, line 34) *adapted to store the bonus token signal at the gaming machine during an entire period of operation in the bonus operation mode* (figure 34 and column 36, line 36 - column 37, line 27) as recited in claim 9.

A player server linked to the plurality of gaming machines, the player server (32) including a database of player accounts player account identification means (figures 20 and 21) located at each of the plurality of gaming machines for identifying a player, associated with a respective player account stored within the player server, at the selected one of the plurality of gaming machines, means for sending a flag signal to the player server responsive to the bonus token, and means for flagging the respective player account responsive to the flag signal (column 26, line 36 - column 29, line 22) as recited in claim 10

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Olsen (US 6,146,273) and Acres (US 6,319,125 and US 6,375,567) disclose different types of bonus gaming systems.


The examiner notes that upon further review, the Acres '961 reference discloses the added claim limitations as noted above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 571-272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Jessica Harrison can be reached on 571-272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JESSICA HARRISON  
PRIMARY EXAMINER